

REMARKS

The Office Action of November 4, 2009, and Advisory Action of February 22, 2010, were received and carefully reviewed. Claims 1-19 were pending for consideration prior to the instant amendment. By this amendment, new claims 33-35 have been added, reciting features not disclosed by the cited references in the Office Action. Support for claims 33 and 34 can be found, for example, in paragraph [0120] of the Application Publication. Support for claim 35 can be found, for example, in paragraph [0159] of the Application Publication. No new matter has been added. Thus, claims 1-19 and 33-35 are currently pending.

In the Advisory Action, the Examiner seems to consider that the conductivity would be decided by only the components. Applicants respectfully disagree, because organic material can indeed have conductivity (e.g., conductive polymers are organic polymers that conduct electricity). Because of its “hole transporting layer” and “electron transporting layer”, Applicants further submit that the “luminescent layer” of Nishio cannot be considered “an insulating layer”, as is recited in independent claims 1-8 of the present invention, although the luminescent layer may not have high conductivity like a metal layer.

In view of the foregoing, Applicants contend that independent claims 1-8, as well as the claims depending therefrom, are allowable. If the Examiner believes a conference would be helpful in expediting prosecution of the instant application, he is invited to telephone the undersigned to arrange such a conference.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

NIXON PEABODY, LLP

/Jeffrey L. Costellia, Reg. No. 35,483/
Jeffrey L. Costellia
Registration No. 35,483

NIXON PEABODY LLP
CUSTOMER NO.: 22204
401 9th Street, N.W., Suite 900
Washington, DC 20004
Tel: 202-585-8000